

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

CIVIL ACTION FILE NO. 4:13-cv-00135

PINE KNOLL PARTNERS, LLC, successor-)
in-interest to BANK OF AMERICA, N.A.,)
Plaintiff)
v.)
ANNE MUNDEN, in her capacity as)
Executrix of the ESTATE OF JOHN P.)
MUNDEN and JOHN W. GAINEY, III,)
Defendants)

ORDER ALLOWING NOTICE OF
DEATH AND JOINT MOTION FOR
SUBSTITUTION OF PARTY

This cause came on to be heard and was heard by the undersigned on the Notice of Death and Joint Motion for Substitution of Party ("Motion") filed by the Plaintiff and Defendant John P. Munden pursuant to Rule 25(a) of the Federal Rules of Civil Procedure. Upon review of the Motion, IT IS ORDERED, ADJUDGED, AND DECREED THAT:

1. The Motion served as proper notice of the death of Defendant John P. Munden, and no further notice in this action shall be required.
2. Pursuant to Rule 25(a) of the Federal Rules of Civil Procedure, Anne Munden, in her capacity as Executrix of the Estate of John P. Munden, shall be and hereby is substituted as party-defendant for the late John P. Munden.
3. All pleadings in this action from and after this Order shall refer to Anne Munden, in her capacity as Executrix of the Estate of John P. Munden, as Defendant.
4. By agreement of the parties, the filing of the Motion and the substitution of parties under this Order shall constitute presentation of the Plaintiffs' claim, as set forth in its Complaint in this matter, against the Estate of John P. Munden, currently pending for

administration in Carteret County, North Carolina, in accordance with North Carolina General Statutes Chapter 28A, Article 19.

SO ORDERED. This 18 day of July 2013.


JAMES C. DEVER III
Chief United States District Judge